

AMENDMENT TO H.R. 2341, AS REPORTED
OFFERED BY MR. NADLER OF NEW YORK AND
MR. DELAHUNT OF MASSACHUSETTS

Page 9, insert the following after line 20 and redesignate the succeeding section accordingly:

1 “§ 1716. Sunshine in court records

2 “‘No order, opinion, or record of the court in the adju-
3 dication of a class action, including a record obtained
4 through discovery, whether or not formally filed with the
5 court, may be sealed or subjected to a protective order
6 unless the court makes a finding of fact—

7 “(1) that the sealing or protective order is nar-
8 rowly tailored, consistent with the protection of pub-
9 lic health and safety, and is in the public interest;
10 and

11 “(2) if the action by the court would prevent
12 the disclosure of information, that disclosing the in-
13 formation is clearly outweighed by a specific and
14 substantial interest in maintaining the confiden-
15 tiality of such information.

Page 6, in the matter preceding line 1, strike the item relating to section 1716 and insert the following:

“1716. Sunshine in court records.
“1717. Definitions.”.

